

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F045767      In re Fidel S. et al., Minors**

The matter is remanded to the juvenile court for that court to direct the Department to notify the BIA and the three Cherokee tribes, using the addresses and agents for service of process set forth in the Federal Register, by serving on them properly completed form SOC 820, with all required attachments, by way of registered mail, with a return receipt requested. After proper notice is given, if any tribe, or the BIA, comes forward and asserts that the children are Indian children, the juvenile court's jurisdictional and subsequent orders are deemed vacated for failure to comply with the ICWA.

If, after proper notice is given to the tribes and the BIA, and the requisite time period has expired, no Indian tribe has come forward and identified the children as Indian children or requested an extension of time, or sought to intervene in these proceedings, the jurisdictional and subsequent orders are deemed affirmed. Cornell, J.

We concur: Levy, Acting P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041817      People v. Davies**

The judgment is affirmed. Vartabedian, Acting P.J.

We concur: Levy, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045843      In re Michelle W., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F045843      In re Michelle W., a Minor**

The order that appellant be detained pending placement is reversed. The matter is remanded for a new detention hearing. However, in the event a placement order is now in effect, our remand order shall be deemed vacated.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044634      People v. Eribarne**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F045936      People v. Jimenez**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed. Pursuant to rule 30.3, California Rules of Court, it is further ordered that the remittitur issue forthwith.

**F042199      People v. Hastings**

Supplemental briefing having been received, the cause is submitted for decision.